

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana First Judicial District Court, County of Jefferson

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-16-007
)	
)	DECISION
DANIEL SCOTT TEMPLETON,)	
)	
Defendant.)	

On January 2, 2019, the Defendant's suspended sentence was revoked, and he was sentenced to the Department of Corrections for four (4) years, none suspended, for the offense of Count I: Criminal Endangerment. As to Count II: Criminal Endangerment, the Defendant was sentenced to the Department of Corrections for four (4) years, all suspended. The sentences were ordered to run concurrently with each other. The Defendant received 265 days of credit for time served.

On May 2, 2019, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video conferencing from the Butte-Silver Bow County Courthouse and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.


Done in open Court this 2nd day of May, 2019.

DATED this 6 day of June, 2019.

SENTENCE REVIEW DIVISION

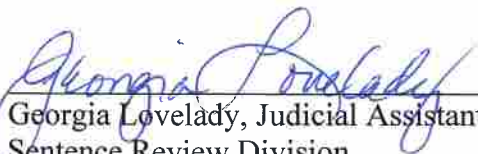

Hon. Brenda Gilbert, Chairperson


Hon. Dan Wilson, Member


Hon. John Warner, Member

Copies mailed this 10th day
of June, 2019, to:

Clerk of District Court (Original)
Daniel Scott Templeton #3019766, Defendant (2)
Hon. Luke Berger
Brent Getty, Defense Counsel
Steven C. Haddon, Esq.
Board of Pardons and Parole
MSP - Records Dept.


Georgia Lovelady, Judicial Assistant
Sentence Review Division